

LAKE COUNTY OFFICE OF PLANNING AND ZONING

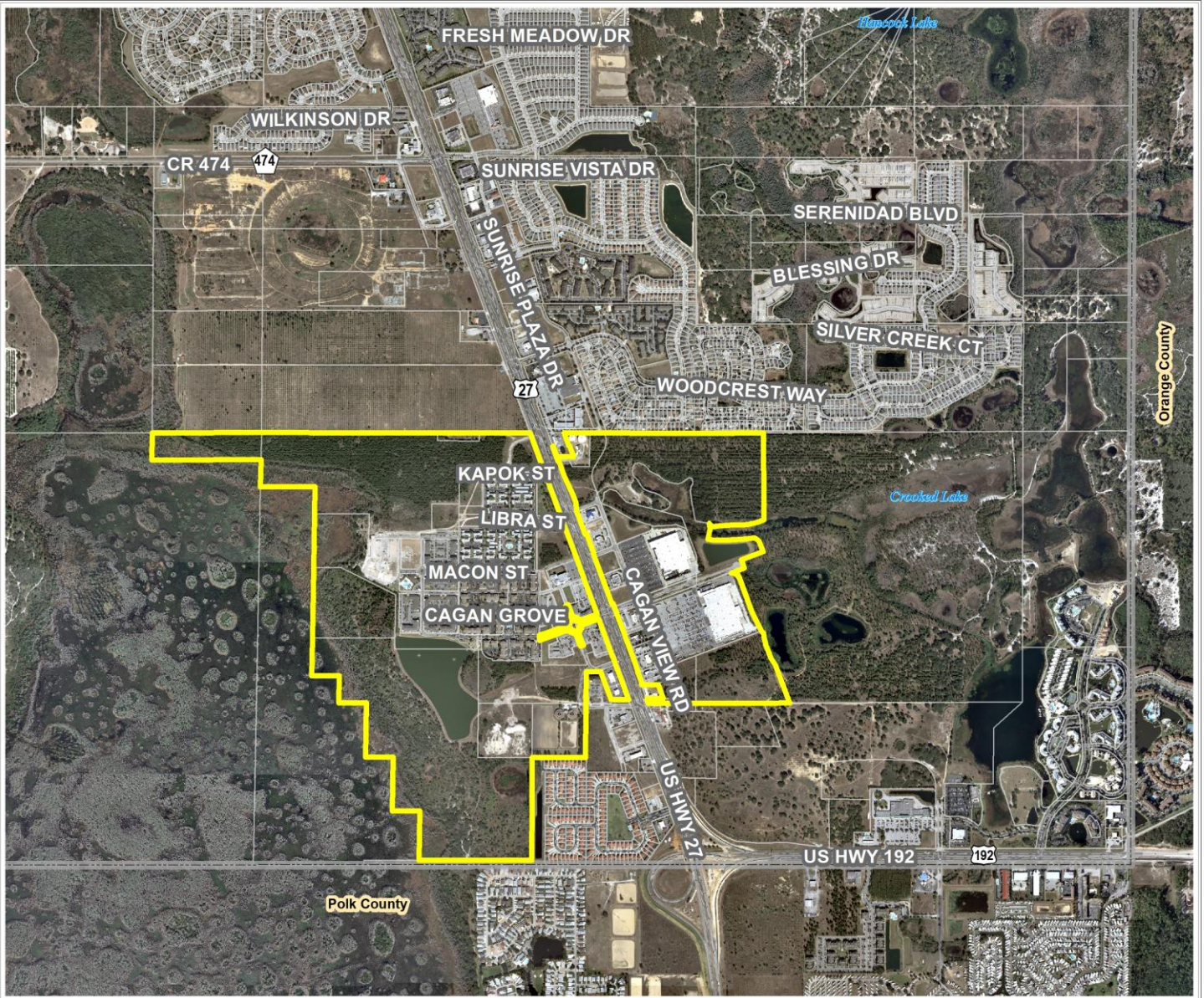
FQD – NOPC STAFF REPORT

Planning and Zoning Board
November 1, 2017



Board of County Commissioners
November 21, 2017

<p style="text-align: center;">NOPC-2017-01-1 Seventh Amendment to the Cagan Crossings FQD Development Order</p>	<p style="text-align: center;">Commissioner District 1 Sullivan</p>	<p style="text-align: center;">Agenda Item #1</p>
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Requested Action: Allow the conversion of 88 market units to 270 age-restricted dwelling units, which will not exceed the projected trip generation for Phase 2B of the Cagan Crossings Development.

Authorized Agent and Applicant: Jeffrey Cagan, Cagan Crossings, LTD., a Florida limited Partnership

- Site Location & Information -

Size	Approximately 486 acres
Location	North of U.S. Highway 192 and Summer Bay Resort, straddling U.S. Highway 27
Future Land Use	Cagan Crossings
Zoning District	PUD by Ordinance 2017-22
Joint Planning Area/ ISBA	N/A
Overlay Districts	US 27 Major Commercial Corridor

- Land Use Table -

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Green Swamp Ridge and Urban Low	Planned Unit Development (PUD), Neighborhood Commercial (C-1) and Community Commercial (C-2)	Commercial and residential land uses	Woodridge and Clear Creek Subdivisions
South	Urban Medium, Regional Commercial, and Green Swamp Ridge	Planned Unit Development (PUD), Neighborhood Commercial (C-1) and Community Facility District (CFD)	Commercial Development along US HWY 192, vacant land, and residential uses	Summer Bay Resort
East	Urban Medium	Planned Unit Development (PUD)	Residential uses	Summer Bay Resort
West	Green Swamp Ridge and Green Swamp Rural Conservation	Community Facility District (CFD) and Agriculture (A)	Wetlands	Green Swamp Area of Critical State Concern

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **ACCEPTANCE** of the proposed changes to the Cagan Crossings Florida Quality Development (FQD) Development Order as proposed via Notice of Proposed Change (NOPC) application to allow the conversion of 88 market units to 270 age-restricted dwelling units, which will not exceed the projected trip generation for Phase 2B of the Cagan Crossings Development.

PLANNING AND ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

Pursuant to Chapter 380, Florida Statutes, the Applicant submitted a Notice of Proposed Change (NOPC) application, which proposes non-substantial changes to the approved Cagan Crossings Florida Quality Development (FQD) Development Order. The subject development is located on the east and west side of U.S. Highway 27 in south Lake County, north of US Highway 192. The Development Order (DO) designating Southlake Development, now known as Cagan Crossings, as a Florida Quality Development (FQD) was issued by the Department of Community Affairs on June 27, 1991. The current DO allows for 3,892 dwelling units, 700,000 gross square feet of commercial space, and 71 acres of civic and cultural uses to be developed utilizing the principles of Traditional Neighborhood Development.

The DO has been amended five times since its approval:

1. The first amendment to the DO was approved on November 1, 1992 and incorporated special requirements of the Florida Housing Finance Agency.

2. The second amended DO was approved on July 23, 1997; the DO consisted of minor revisions and extended the expiration date of the DO until 2016.
3. The third amended DO was approved on April 20, 1998 to include an additional 111.14 acres of land for storm water retention, passive recreation, and open space.
4. The fourth amended DO was approved on December 9, 2003 (Ordinance 2003-93) and created a commercial district along east of U.S. Highway 27; added 500,000 square feet of commercial development; altered transportation requirements; and changed the name from 'Southlake' to 'Cagan Crossings.'
5. The fifth amended DO, approved on February 14, 2008, extended the expiration date to July 9, 2019, reduced the commercial district by 20 acres, and rearranged the concept plan.
6. The sixth amended DO, approved on April 27, 2017, removed 242.5 acres from the FQD, reduced the number of dwelling units from 8,000 to 3,982, removed irrelevant conditions, and update Map H (Master Conceptual Plan).

Since its approval, the Cagan Crossings FQD has been developing in accordance with the approved DO.

The current NOPC application proposes to allow the conversion of 88 market units to 270 age-restricted dwelling units, which will not exceed the projected trip generation for Phase 2B of the Cagan Crossings Development. The applicant provided a technical memorandum prepared by engineers at VHB which concluded that although the total number of units proposed will increase, the type of residential unit results in the same number of trips during the post meridiem (P.M.) peak-hour and no expected changes to the traffic impacts created from this development (Attachment A). Lake County Public Works and the Lake-Sumter Metropolitan Planning Organization (MPO) concurred with VHB's analysis (Attachment B).

- Summary of Analysis -

- A. Whether the proposed Development Order (DO) changes are consistent with applicable provisions of the Code;**
The proposed changes to amend the previously approved DO were submitted via a Notice of Proposed Change (NOPC) application. The proposed changes are consistent with the previously approved uses and only allows the conversion of 88 market units to 270 age-restricted dwelling units, which will not exceed the projected trip generation for Phase 2B of the Cagan Crossings Development.
- B. Whether the proposed DO changes are consistent with all elements of the Lake County Comprehensive Plan;**
The applicant is consistent with the Comprehensive Plan.
- C. Whether, and the extent to which, the DO changes are inconsistent with existing and proposed land uses;**
The applicant has submitted a development application for the construction of a 270 unit senior housing complex within the Cagan Crossings FQD.
- D. Whether there have been changed conditions that justify the DO changes;**
The registered agent intends on selling 242 acres currently affected by the Cagan Crossings FQD DO, Future Land Use Category, and Planned Unit Development.
- E. Whether, and the extent to which, the proposed DO changes would result in demands on public facilities, and whether, or to the extent to which, the proposed DO changes would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities;**

Water and Sewage – The Cagan Crossings Development is currently serviced by Southlake Utilities, Inc.

Transportation – Pursuant to the technical memorandum prepared by VHB (Attachment A) and the Lake-Sumter Metropolitan Planning Organization (MPO) (Attachment B), the application request does not change the anticipated approved impacts to the roadway network.

Solid Waste – This application will have no impact on the adopted levels of service for solid waste.

Schools - Impacts on levels of service have been addressed in the previously approved Cagan Crossings DO. This application only addresses transportation concurrency.

Fire and Emergency Services - Lake County Fire Station 112, located at 16240 County Road 474, approximately 1.4 miles north of the Cagan Crossings development for fire-emergency services, including advanced life support.

F. Whether, and the extent to which, the proposed DO changes would result in significant adverse impacts on the natural environment;

There is no indication that the uses proposed by the NOPC will result in a significant impact on the natural environment. Any new development will be required to meet all Comprehensive Plan and Land Development Regulations requirements to protect the environment.

G. Whether, and the extent to which, the proposed DO changes would affect the property values in the area.

The application does not contain any information regarding the effect on property values in the area.

H. Whether, and the extent to which, the proposed DO changes would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The uses proposed by the NOPC will take place within the current Cagan Crossings boundaries and follow the pre-established and existing development pattern in the area.

I. Whether the proposed DO changes are consistent with or advance the public interest, and is in harmony with the purpose and interest of these regulations.

The changes proposed by the NOPC application are consistent with the public interest and applicable regulations.

FINDINGS OF FACT: Staff has reviewed the application and found:

1. The application proposes to allow the conversion of 88 market units to 270 age-restricted dwelling units, which will not exceed the projected trip generation for Phase 2B of the Cagan Crossings Development; and
2. Pursuant to Chapter 380, Florida Statutes, the above stated changes are not considered either individually or cumulatively to be a substantial deviation to the previously approved Development Order (DO).

Based on these findings of fact, Staff recommends **ACCEPTANCE** of the changes to the Cagan Crossings Florida Quality Development (FQD) Development Order as proposed via Notice of Proposed Change (NOPC) application to allow the conversion of 88 market units to 270 age-restricted dwelling units, which will not exceed the projected trip generation for Phase 2B of the Cagan Crossings Development

Case Manager: Michele Janiszewski, Chief Planner

WRITTEN COMMENTS FILED:

Supportive: -0-

Concern: -0-

Opposition: -0-

1 **WHEREAS**, in a regularly scheduled meeting held on October 24, 2017, the Lake County
2 Board of County Commissioners considered the testimony and documents received at the meeting;
3 and
4

5 **WHEREAS**, the County has reviewed the above-referenced documents as well as all
6 related testimony and evidence submitted by the parties and members of the general public; and
7

8 **WHEREAS**, there was competent substantial evidence presented that the changes set forth
9 in the proposal do not meet or exceed any of the substantial deviation criteria in Section
10 380.06(19), Florida Statutes.
11

12 **NOW THEREFORE BE IT RESOLVED** by the Board of County Commissioners of
13 Lake County, Florida, that:
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15 **Section 1. Deviation.** The changes proposed by the Developer to the Cagan Crossings
16 Florida Quality Development in its Seventh Notice of Proposed Change, filed August 7, 2017, do
17 not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes.
18

19 **Section 2. Development Order.** The Board has no objection to the proposed changes
20 to Section IV(N)(1)(c)(5), as shown in the Seventh Notice of Proposed Change, as provided below
21 (additions are underlined):
22

23 (5) Care for the elderly: Cagan Crossings will provide 90 housing units for the
24 very low income elderly.
25

26 (i) As part of Phase IIA, the Developer may exchange up to a maximum
27 of 88 market rate multi-family dwelling units remaining in this phase for up
28 to a maximum of 270 elderly age restricted units without further
29 amendment. The previously approved projected trip generation shall be
30 maintained. The market rate units shall be converted to elderly units at the
31 rate of three (3) elderly units for one (1) market rate unit. Provided however,
32 that if all 88 market rate units are converted to elderly units, the Developer
33 shall be entitled to develop six (6) additional elderly units for a total of 270
34 elderly units. The Developer will report exchanges and track the total
35 number of market rate units exchanged in the annual reports.
36

37 **Section 3. Furnishing of Resolution.** A copy of this Resolution will be furnished by
38 the Lake County Office of Planning and Zoning to the Developer, the DEO, and the ECFRPC no
39 later than ten (10) working days of its adoption.
40

41 **Section 4. Furnishing of Development Order Amendment.** The Developer shall
42 cause the Seventh Development Order Amendment to be recorded in full among the Public
43 Records of Lake County no later than fifteen (15) working days following the rendering of the
44 corresponding Seventh Development Order Amendment by the DEO. The Developer shall
45 transmit certified copies of the recorded Seventh Development Order Amendment to the DEO, the

1 Lake County Office of Planning and Zoning, and the ECFRPC no later than fifteen (15) working
2 days following recording of the Seventh Development Order Amendment.

3

4 **Section 5.** **Effective Date.** This Resolution will take effect upon its adoption.

5

6 **PASSED AND ADOPTED** this ____ day of _____, 2017.

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8 Board of County Commissioners of
9 Lake County, Florida

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Timothy I. Sullivan, Chairman

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ATTEST:

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16 Neil Kelly, Clerk of the
17 Board of County Commissioners
18 Of Lake County, Florida

19

20 Approved as to form and legality:

21

22

23 Melanie Marsh, County Attorney

24



To: Mr. Jeff Cagan
President
Cagan Management Group, Inc.

Date: March 27, 2017

Memorandum

From: Kok Wan Mah, P.E., PTOE
Senior Transportation Engineer

Project #: 62886.00

Re: Land Use Exchange Summary – Cagan Crossings FQD

CC: Bob Apgar, Esq.; Apgar Law
William Deas, P.A.; Deas Law
Alex Deas, Esq.; Deas Law
Fabricio Ponce, P.E.

Introduction

The following technical memorandum summarizes a land use exchange performed for the Cagan Crossings FQD in South Lake County, Florida. The FQD currently has remaining entitlements through Phase 2A of 88 market rate multi-family dwelling units. The developer wishes to exchange those dwelling units for age-restricted attached dwelling units, not to exceed the projected trip generation of the 88 multi-family dwelling units. The entitled units and the proposed age-restricted units are both located on the west side of US 27.

Evaluation

The current remaining entitlements for Cagan Crossing FQD Phase 2A allow for 88 multi-family dwelling units to be constructed. The P.M. peak-hour trip generation for these 88 units based on the most recent ITE Trip Generation Manual, 9th Edition (land use code 220) yields 66 trips (43 inbound and 23 outbound). It is the intent of this land use exchange to produce no net new trips for the P.M. peak analysis period. Therefore, the total P.M. peak-hour trips as well as each direction, inbound and outbound, will be used as upper limits of the trips when exchanging the land uses. It is assumed that the trip distribution will remain the same as both the multi-family and age-restricted units are both residential.

The number of age-restricted attached dwelling units that can be constructed without exceeding the number of trips generated by the peak-hour is 270, based on land use code 252 in the ITE Trip Generation Manual. This number of age-restricted attached dwelling units will generate a total of 66 P.M. peak-hour trips. This total is equal to those produced by the 88 multi-family dwelling units. This land use exchange is not expected to result in any additional offsite improvement needs. A summary of the trip generation is shown in **Table 1**.

Table 1 – Summary of Trip Generation Comparison

Land Use	ITE Code	Intensity	PM Peak-Hour Trip Ends			
			Total	Rate	In	Out
Multi-Family Residential	220	88 DU	66	0.75	43	23
Sr. Adult Housing – Attached	252	270 DU	66	0.24	36	30

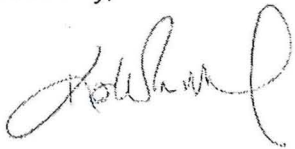
Source: ITE Trip Generation Manual, 9th Edition; VHB

Findings and Recommendations

This evaluation shows that although the total number of units proposed will increase, the type of residential unit results in the same number of trips during the PM peak-hour and no expected changes to the traffic impacts created from this development. It is recommended that the request to change the land use type and intensity of units be submitted for approval to Lake County.

As always, we appreciate the opportunity to provide this service to Cagan Management Group, Inc. If you have any questions, please do not hesitate to contact us.

Sincerely,



Kok Wan Mah, P.E., PTOE
Senior Transportation Engineer
VHB
kmah@vhb.com
407.641.0690

Attachment B.



September 1, 2017

Michelle Janiszewski
Chief Planner
Planning & Zoning Division
Lake County Department of Economic Growth
315 W. Main St.
Tavares, FL 32778

**RE: Cagan Crossings Application for Notice of Proposed Change (NOPC)
7th Amendment to the Development Order (DO)**

Ms Janiszewski,

The Lake~Sumter MPO has reviewed the documents submitted for the Cagan Crossings NOPC 7th Amendment to the DO. The request proposes to exchange up to a maximum of 88 multi-family units in Phase IIA for a maximum of 270 age restricted units without further amendment. The Lake~Sumter MPO offers the following Observations and Comments:

Observations Regarding the Project:

1. The project site is currently part of the Cagan Crossings FQD generally located on the east and west sides of the intersection of US 27 and Cagan Crossings Blvd. in the Four Corners area of south Lake County, Florida.
2. The property is an existing approved land development included in the Cagan Crossings FQD (Florida Quality Development) that has an approved development order.
3. The trip calculations for the requested change are equal (no difference in the number of trips).

Recommendations Regarding Traffic Impacts:

1. The application request does not change the anticipated approved impacts to the roadway network. Therefore, the Lake~Sumter MPO has no concerns regarding the applicant's request.

Should you have any questions please contact me by email at bhutt@lakesumtermpo.com or by phone at (352)315-0170 ext. 3.

Thank You,

Brian R. Hutt

Brian R. Hutt
Lake~Sumter MPO
TMS Project Manager
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"Promoting Regional Transportation Partnerships"

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City of Webster
City of Wildwood
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Lake County Schools
Sumter County Schools